

2-23-04 Image \$ RCE 1644

PTO/SB-30 (09-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Request for Continued Examination (RCE) Transmittal		
Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/767,578
	Filing Date	January 23, 2001
	First Named Inventor	Ilya Trakht
	Art Unit	1644
	Examiner Name	R.B. Schwadron
	Attorney Docket Number	55099-B/JPW/AJM/AJD

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
 - ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
 - ☐ Other _____
 - ☒ Enclosed
 - ☐ Amendment/Reply
 - ☐ Affidavit(s)/ Declaration(s)
 - ☐ Information Disclosure Statement (IDS)
 - ☒ Other Communication
- Miscellaneous**
 - ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
 - ☐ Other _____
- Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to:
 - ☒ Deposit Account No. 03-3125
 - ☒ RCE fee required under 37 CFR 1.17(e)
 - ☐ Extension of time fee (37 CFR 1.136 and 1.17)
 - ☐ Other _____
 - ☒ Check in the amount of \$ 385.00 enclosed
 - ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Alan J. Morrison	Registration No. (Attorney/Agent)	37,399
Signature		Date	February 20, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.	
Name (Print/Type)	Alan J. Morrison
Signature	
Date	February 20, 2004

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

02/25/2004 CCHAU1 00000075 09767578

01 FC:2801

385.00 0P



55099-B/JPW/AJM/AJD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ilya Trakht
Serial No.: 09/767,578 . Examiner: R.B. Schwadron
Filed: January 23, 2001 Group Art Unit: 1644
For: DEVELOPMENT OF HUMAN MONOCLONAL ANTIBODIES AND
USES THEREOF

1185 Avenue of the Americas
New York, New York 10036
February 20, 2004

Mail Stop RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

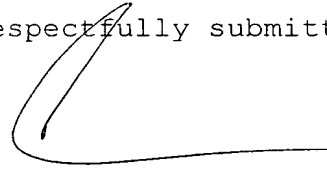
EXPRESS MAIL CERTIFICATE OF MAILING
FOR ABOVE-IDENTIFIED APPLICATION

"Express Mail" Mailing Label Number: EV 325708345 US
Date of deposit: February 20, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Printed Name Samuel Phelps

Respectfully submitted,



John P. White
Registration No. 28,678
Alan J. Morrison
Registration No. 37,399
Attorneys for Applicant
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400



55099-B/JPW/AJM/AJD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ilya Trakht
Serial No.: 09/767,578 Examiner: R.B. Schwadron
Filed: January 23, 2001 Group Art Unit: 1644
For: DEVELOPMENT OF HUMAN MONOCLONAL ANTIBODIES AND
USES THEREOF

1185 Avenue of the Americas
New York, New York 10036
February 20, 2004

Mail Stop RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMUNICATION REGARDING OCTOBER 27, 2003 ADVISORY ACTION

Applicant hereby submits this Communication as a submission in connection with the accompanying request for continued examination ("RCE") regarding the above-identified application. This Communication is submitted in order to address the Examiner's rejections made in the October 27, 2003 Advisory Action issued in connection with this application. A Notice of Appeal was filed on December 23, 2003, making an Appeal Brief due February 23, 2004. Accordingly, this Communication and accompanying RCE, filed in lieu of an Appeal Brief, are being timely filed.